READEX

United Nations S/2001/522

Security Council

Distr.: General
29 May 2001

Original: English

Letter dated 25 May 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council

On instructions of my Government, I wish to refer to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (see S/2001/357 of 12 April 2001).

As Amama Mbabazi, Minister of State for Foreign Affairs (Regional Cooperation), stated in the Security Council debate on 3 May 2001, the Government of Uganda takes the allegations in the report seriously and welcomes the opportunity to bring these matters to rest.

The Government has now appointed and constituted an Independent Judiciary Commission of Inquiry to investigate, in an open and transparent manner, these allegations and report to the Government for appropriate action.

The Judiciary Commission is expected to hand in its report three months after commencement of work and its terms of reference are contained in the attached legal notice signed by the Minister of Foreign Affairs (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council and circulate them as a document of the Council.

(*Signed*) Fred **Beyendeza**
Chargé d'affaires a.i.

01-38746 (E) 300501

Annex to the letter dated 25 May 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council

Legal Notice No. ..... of 2001

THE COMMISSIONS OF INQUIRY ACT, (CAP.56)

The Commission of Inquiry (Allegations into Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of Congo, 2001.

(Under Section 2 of the Commissions of Inquiry Act, Cap.56)

WHEREAS on the 16th April 2001 a United Nations Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of Congo submitted its Report to the Secretary General of the United Nations.

AND WHEREAS the said Report contained allegations that the Government of the Republic of Uganda among others was involved in the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of Congo.

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AND WHEREAS the Security Council of the United Nations on 2nd May 2001 urged the Governments concerned to conduct their own inquiries as to the allegations in the said report.

NOW THEREFORE in exercise of the powers conferred on the Minister by Section 2 of the Commissions of Inquiry Act, this Notice is issued this 23rd day of May, 2001.

1. Title

This Notice may be cited as the Commission of Inquiry (Allegations into the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of Congo) Notice, 2001.

2 Establishment of Commission of Inquiry.

There is established a Commission of Inquiry into the matters set out in paragraph 4 of this Notice.

3 Members

(1) The Commission shall consist of the following persons:-

a) Hon. Justice David Porter : Chairman

b) Hon. Justice P.J. Berko : Member

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(c) Mr. John Rwambuya - retired
Senior UN Official : Member

(2) Mr. Bisereko Kyomuhendo, Principal State Attorney Shall be the Secretary to the Commission.

(3) Mr. Allan Shonubi Shall be the Lead Counsel to the Commission.

(4) The Commission Shall, at any time be deemed to be fully constituted if any two of the members are present including the Chairperson.

4. Terms of Reference.

The terms of reference of the Commission shall be the following:-

(a) to inquire into the allegations of illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of Congo, to wit minerals, coffee, timber, livestock, wildlife, ivory, moneys or other property from the Democratic Republic of Congo contained in the said report;

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(b) to inquire into the allegations of mass scale looting and systematic exploitation of natural resources and other forms of wealth from the Democratic Republic of Congo by the Government of Uganda made in the said report;

(c) to inquire into allegations of complicity or involvement by His Excellency the President and his family in the alleged illegal exploitation made in the said report;

(d) to inquire into allegations of involvement in the illegal exploitation of the natural resources of the Democratic Republic of Congo by top ranking UPDF officers and other Ugandan individuals named in the said report.

5. Report of findings and recommendations.

(1) The Commission shall submit a report of its findings and recommendations under paragraph 4 to the Minister responsible for Foreign Affairs within three months after commencing its duties.

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(2) The Commission may, at any time before the completion of its final report, submit to the Minister an interim report on any matter within its terms of reference.

(*Signed*) Alfred K. **Mubanda**
Minister of State for Foreign Affairs holding portfolio of Minister of Foreign Affairs

United Nations S/2001/523

Security Council

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30 May 2001

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Draft resolution

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force of 18 May 2001 (S/2001/499), and also reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 2001;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

01-38942 (E) 300501

United Nations A/56/80-S/2001/524

General Assembly
Security Council

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General Assembly
Fifty-sixth session
Item 179 of the preliminary list*
Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 25 May 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the latest developments in the ongoing Palestinian terrorist campaign against Israel.

Earlier today, a car bomb exploded in the vicinity of the central bus station in the Israeli city of Hadera. Sixty-six were wounded in the blast, among them an 8-month-old baby and a 10-year-old boy. Hadera was the site of a bus bombing last November in which 2 Israelis were killed and more than 60 wounded and to which I referred in my letter dated 22 November 2000 (A/55/641-S/2000/1114).

On Wednesday evening, 23 May 2001, two Israelis — Asher Iluz, age 33, and Yitzhak Goldstein, age 29 — were travelling on a dirt road near the village of Isaskar when three Palestinian terrorists ambushed their vehicle, spraying it with bullets. Iluz later died of his wounds and Goldstein was lightly injured.

In addition, Palestinian gunmen persist in their attacks on the Jerusalem neighbourhood of Gilo, and for the first time fired on the nearby neighbourhood of Malha, one kilometre to the west. George Sportas, an 86-year-old Gilo resident, was seriously wounded outside his home on Wednesday afternoon, after being shot in the chest.

All these attacks come after Prime Minister Ariel Sharon announced that Israeli forces would halt all operational actions against the Palestinians and would henceforth open fire only in case of an immediate threat. This step, taken pursuant to the Mitchell Committee's report, is intended as an initial step towards quelling the violence, restoring mutual trust and bringing about a return to negotiations. The Palestinian side responded negatively to the Prime Minister's initiative, referring to it as a public relations ploy, and persisted in their attacks, which have claimed the life of one Israeli and injured scores of others in the days following the announcement.

* A/56/50.

01-38674 (E) 290501

I should like to recall my previous letters, which detail the ongoing terrorist campaign against Israel, dated 18 May 2001 (A/56/78-S/2001/506), 11 May 2001 (A/56/72-S/2001/473), 9 May 2001 (A/56/69-S/2001/459), 1 May 2001 (A/55/924-S/2001/435), 23 April 2001 (A/55/910-S/2001/396), 16 April 2001 (A/55/901-S/2001/364), 28 March 2001 (A/55/863-S/2001/291), 27 March 2001 (A/55/860-S/2001/280), 26 March 2001 (A/55/858-S/2001/278), 19 March 2001 (A/55/842-S/2001/244), 5 March 2001 (A/55/821-S/2001/193), 2 March 2001 (A/55/819-S/2001/187), 14 February 2001 (A/55/787-S/2001/137), 13 February 2001 (A/55/781-S/2001/132), 2 February 2001 (A/55/762-S/2001/103), 25 January 2001 (A/55/748-S/2001/81), 23 January 2001 (A/55/742-S/2001/71), 28 December 2000 (A/55/719-S/2000/1252), 22 November 2000 (A/55/641-S/2000/1114), 20 November 2000 (A/55/634-S/2000/1108) and 2 November 2000 (A/55/540-S/2000/1065).

For the Palestinians to continue to denounce Israel's conduct, at the same time that they have made clear that they have no interest in responding positively to Israel's initiative for a cessation of violence, is duplicitous and reprehensible. The Palestinian campaign of incitement continues unabated, as do the activities of terrorist organizations, against whom the Palestinian leadership has taken no action. Despite signed commitments obliging the Palestinians to control violence and terrorism, attacks against Israelis continue to be carried out with the assistance, encouragement and even the direct and active participation of the official security forces of the Palestinian Authority.

Nonetheless, Israel continues to take steps to alleviate the conditions of the Palestinian population. Despite the considerable security risks, Israel has authorized the entry of an additional 4,000 Palestinian workers into Israel, and another 6,000 to work in industrial zones in proximity to their homes, bring the total number of work permits issued to 21,000. We are currently considering the possibility of increasing the total number of workers to 25,000, as the situation allows.

Israel accepts the Mitchell Committee's recommendation for a complete end to the violence, followed by a cooling off period, the undertaking of confidence-building measures, and finally a return to negotiations. The recent decision by the Israeli Government was intended as the first step in this regard. We call upon the Palestinian leadership to do their part, and to implement an unconditional and immediate cessation of violence.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-sixth session of the General Assembly, under item 179 of the preliminary list, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations S/2001/525

Security Council

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29 May 2001

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Letter dated 24 May 2001 from the Permanent Representative of Zambia to the United Nations addressed to the President of the Security Council

I forward herewith the text of the communiqué produced at a joint meeting of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement in the Democratic Republic of the Congo and the United Nations Security Council mission to the Great Lakes region (see annex).

It would be appreciated if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Professor Mwelwa C. **Musambachime**
Ambassador
Permanent Representative

01-38653 (E) 290501

Annex to the letter dated 24 May 2001 from the Permanent Representative of Zambia to the United Nations addressed to the President of the Security Council

Agreement for a Ceasefire in the Democratic Republic of Congo

Joint meeting of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement in the Democratic Republic of the Congo and the United Nations Security Council mission to the Great Lakes region

Communiqué

1. At the initiative of both parties, a joint meeting of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement (S/1999/815, annex) in the Democratic Republic of the Congo took place in Lusaka, Zambia, on 22 May 2001, at the closing of the eleventh meeting of the Political Committee.

2. Mr. Frederick Chiluba, President of the Republic of Zambia opened the meeting.

3. All the signatories to the Ceasefire Agreement attended the meeting. They included the following: Angola, the Democratic Republic of the Congo, Namibia, Rwanda, Uganda, Zimbabwe, the Movement for the Liberation of the Congo (MLC), the Congolese Rally for Democracy (RCD) and the Congolese Rally for Democracy-Kisangani (RCD-K). For the first time, representatives of Burundi were invited to participate in the meeting in order to discuss the disarmament, demobilization, reintegration and resettlement process. The United Nations Security Council mission was led by the Permanent Representative of France to the United Nations and included the representatives of China, Colombia, Ireland, Jamaica, Mali, Mauritius, Singapore, Tunisia, Ukraine, the United States of America and the United Kingdom of Great Britain and Northern Ireland. The representatives of the Republic of Zambia and the Organization of African Unity and the Special Representative of the Secretary-General for the Democratic Republic of the Congo also attended the meeting.

4. The Political Committee exchanged views with members of the Security Council on the process of implementation of the Lusaka peace agreement. It reviewed what had been done in the areas of disengagement, disarmament, demobilization, reintegration and resettlement, the withdrawal of foreign forces, the inter-Congolese dialogue, the co-location of the Joint Military Commission with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and the demilitarization of Kisangani since their last meeting in February 2001. In all these, the Political Committee apprised the members of the Council of the efforts made by the signatories to ensure the return of peace to the Democratic Republic of the Congo and the region as a whole. The Political Committee expressed its appreciation and asked for continuation of the partnership with the Council. The members of the Council assured the Political Committee of their support and cooperation.

5. The meeting expressed satisfaction with the progress made by the various parties in the disengagement process and redeployment of forces since the last

meeting of the Political Committee held on 6 April 2001. The Political Committee and the Security Council welcomed the declaration by MLC that it would disengage to the agreed positions with effect from 1 June 2001.

6. The meeting welcomed the adoption by the Political Committee of the plan for the orderly withdrawal of all foreign forces from the Democratic Republic of the Congo with a calendar containing dates and timetables for implementation. The calendar is based on a start date of 22 February 2001, which is derived from Security Council resolution 1341 (2001). That resolution was adopted by the Council at the end of the last joint meeting, in New York, of the Council and the Political Committee.

7. The meeting welcomed the adoption by the Political Committee of the plan for disarmament, demobilization, repatriation and reintegration of all armed groups in the Democratic Republic of the Congo. It was agreed that all parties that had not already done so would provide information as soon as possible on the numbers, location and armaments of the armed groups in order to facilitate United Nations planning to assist the parties in the disarmament, demobilization, reintegration and resettlement process. All parties confirmed the existence of relations at the level of head of State and senior officials and considered these an important contributory factor to the peace process.

8. The Political Committee appealed to the Security Council to authorize the planning for phase III of MONUC deployment, as soon as the Joint Military Commission and the Political Committee had made available to MONUC all the necessary information on disarmament, demobilization, reintegration and resettlement and the withdrawal of foreign forces. The Political Committee called upon the Council to take into account the complexity of the Democratic Republic of the Congo peace process when considering the size and mandate of phase III MONUC deployment.

9. The meeting appreciated the efforts made by the Facilitator of the inter-Congolese dialogue, Sir Ketumile Masire, and welcomed his proposal to convene a preparatory meeting for the dialogue on 16 July 2001. The Security Council and the Political Committee expressed strong support for the inter-Congolese dialogue.

10. Concerning the co-location of the Joint Military Commission and MONUC in Kinshasa, the Chairman of the Political Committee announced the creation of a team, comprising the Chairman and Vice-Chairman assisted by Namibia, Rwanda, Uganda, Zambia and Zimbabwe, to find a compromise on this issue.

11. The meeting also discussed the demilitarization of Kisangani, in light of Security Council resolution 1304 (2000), in which the Council had called for the full demilitarization of the city. Kisangani is still occupied by the forces of RCD.

12. The meeting expressed its profound gratitude to the people and Government of the Republic of Zambia for the hospitality and warm welcome extended to the members of the Political Committee during their stay in Lusaka.

Done at Lusaka on 22 May 2001